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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,305	12/06/2001	Charles E. Prussak	041673-2092	1335
30542	7590	05/03/2006	EXAMINER	
FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278				GAMBEL, PHILLIP
		ART UNIT		PAPER NUMBER
				1644

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding..



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10/006305

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

1644 05012006

DATE MAILED:

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Commissioner for Patents

Applicant's amendment, filed 10/21/05, has been entered.
Claims 2-4, 12 and 37 have been amended.
Claims 1, 7, 15 and 22 have been canceled.
Claims 2-6, 8-14, 16-21 and 23-67 are pending.

Applicant's previous election of Group I (claims 2-6, 8-13, 27-42, 52-61) drawn to a nucleic acid encoding a chimeric TNFalpha ligand polypeptides, genetic constructs, host cells and processes of producing said polypeptides without traverse is acknowledged.

Applicant's election of the species of Domain = CD154; Domain II = CD154; Domain III=CD154; Domain IV=TNFalpha and no species election for a Domain V is acknowledged.

However, the Listing of (Withdrawn) Claims appears to be inconsistent with applicant's election of species.

For example, applicant is invited to clarify why claims 5, 7, 10, 13, 42-43 and dependent claims thereof do NOT read on the elected species. For example, claim 10 recites "wherein the first polynucleotide further encodes Domain I, II or II fragments of CD154" which appears to be consistent with the elected invention, yet the Listing of the Claims indicates that this claim is (Withdrawn). Some of the other claims appear to be read on the elected invention via a genus-species relationship.

Again, applicant is invited to clarify the proper status of the claims with respect to the elected Invention and species.

Applicant is invited to consider submitting claims that read on the elected invention.

The examiner apologizes for any inconvenience to applicant in this matter.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gabel whose telephone number is (571) 272-0844. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (571) 272-0841.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phillip Gambel, Ph.D., J.D.

Primary Examiner

Technology Center 1600

May 1, 2006

Phillip Gambel